

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SARAH GRINENKO,

Plaintiff,

V.

OLYMPIC PANEL PRODUCTS, LLC, a Washington State limited liability company; INTERNATIONAL ASSOCIATION OF MACHINISTS, WOODWORKERS LOCAL LODGE W-38, et al.,

Defendants.

CASE NO. C07-5402BHS

ORDER DENYING
PLAINTIFF'S MOTION TO
RECONSIDER AND
GRANTING MOTION FOR
SUMMARY JUDGMENT OF
LOCAL LODGE AND ERIC
AND DEBBIE DOBSON

This matter comes before the Court on Plaintiff's Motion to Reconsider (Dkt. 109) and the Motion for Summary Judgment of Woodworkers Local Lodge W-38, IAM ("Local Lodge") and Eric and Debbie Dobson (Dkt. 98). The Court has considered the pleadings filed in support of and in opposition to the motions and the remainder of the file and hereby denies the motion for reconsideration and grants the motion for summary judgment for the reasons stated herein.

I. BACKGROUND AND DISCUSSION

On June 30, 2008, Plaintiff moved for an extension of time in which to respond to the pending motion for summary judgment by Local Lodge, Eric Dobson, and Debbie Dobson. Dkt. 99. The Court denied the motion on the grounds that Plaintiff failed to demonstrate that she was unable to present facts essential to justify her opposition to the motion for summary judgment as required by Federal Rule of Civil Procedure 56(f). Plaintiff now moves for reconsideration of that order.

1 Motions for reconsideration are governed by Local Rule CR 7(h), which provides
2 as follows:

3 Motions for reconsideration are disfavored. The court will ordinarily deny
4 such motions in the absence of a showing of manifest error in the prior
5 ruling or a showing of new facts or legal authority which could not have
6 been brought to its attention earlier with reasonable diligence.

7 Local Rule CR 7(h)(1).

8 In this case, Plaintiff fails to identify any facts warranting reconsideration that
9 “could not have been brought to the Court’s attention with reasonable diligence.”
10 Moreover, Plaintiff’s counsel appears to concede that his showing in support of his
11 request for a continuance was “weak” but contends that the Court misapprehended Local
12 Lodge’s position with respect to the requested continuance. The record does not support
13 this contention. *See* Dkt. 102 at 5. Plaintiff having failed to offer new facts or legal
14 authority or to demonstrate that the Court’s order contained manifest error, the motion for
15 reconsideration is denied.

16 Local Lodge’s motion for summary judgment is ripe for consideration. The Court
17 construes Plaintiff’s failure to respond as an admission that the motion has merit. *See*
18 Local Rule CR 7(b)(2). Accordingly, Local Lodge’s motion is granted.

II. ORDER

19 Therefore, it is hereby

20 **ORDERED** that Plaintiff’s Motion to Reconsider (Dkt. 109) is **DENIED**, the
21 Motion for Summary Judgment of Local Lodge and Eric and Debbie Dobson (Dkt. 98) is
22 **GRANTED**, and these Defendants are **DISMISSED**.

23 DATED this 15th day of July, 2008.

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BENJAMIN H. SETTLE
United States District Judge